

# Exhibit 4

United States District Court for the Northern District of California

*In re: 23andMe, Inc. Customer Data Security Breach Litigation*

Case No. 24-md-03098-EMC

# Class Action Notice

***Authorized by the U.S. District Court***

Did you receive notice that your information was compromised in the 23andMe data security breach?

There is a \$30,000,000 settlement of a lawsuit.

You may be **eligible** ~~entitled to~~ for a cash payment and other benefits.

- Up to \$510,000 for Extraordinary Claims;
- \$100 for Health Information Claims;
- \$100 for Statutory Cash Claims;
- 3 years of Privacy & Medical Shield + Genetic Monitoring

Read this notice.

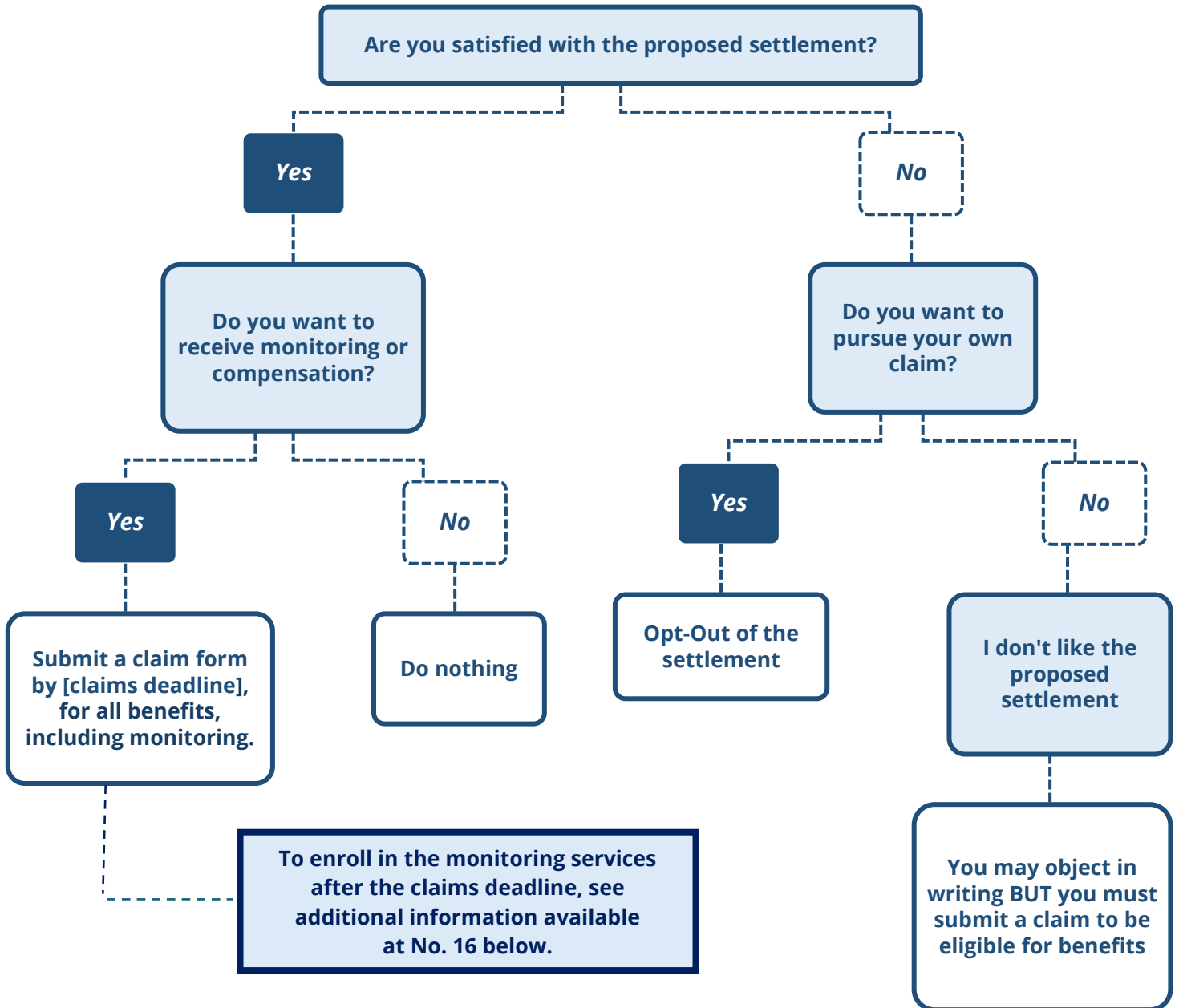
Your options:

- Submit a Claim Form by [date].
- Opt-Out by [date].
- Object by [date].
- Do nothing.

## Important things to know:

- If you take no action, you will still be bound by the Settlement, and your rights will be affected.
- You ~~must~~ stay file a Claim to receive a cash payment and other ~~one or more of the~~ benefits the Settlement provides.
- If you do not want to be bound by the Settlement, you may request exclusion ("Opt-Out").
- If you do not like the Settlement, you may object and tell the Judge what you don't like. In order to receive a cash payment and other benefits, you must file a Claim even if you object.
- You should read this notice carefully and completely as it tells you what you can get from the Settlement with 23andMe if you remain in the Settlement and submit a Claim. It also describes what your other options are.

## Choose the best path for you:



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# About this Notice

## 1. Why did I get this Notice?

A federal court authorized this Notice because you have a right to know about the proposed Settlement in the case, and all of your options, before the Court decides whether to approve the Settlement. If the Court approves it, and after any appeals are resolved, an administrator appointed by the Court will process all claims, make payments and provide access to the benefits that the Settlement allows. You can keep informed of the progress [here](#).

### This Notice Explains:

- The lawsuit
- The Settlement
- Your legal rights
- The Settlement benefits
- Who can get benefits
- How to get benefits

## 2. What do I do next?

Read this Notice carefully to determine if you are a Settlement Class Member and to understand the Settlement and its benefits. Then, decide if you want to:

| Options                    | More information about each option  |
|----------------------------|---|
| <b>Submit a Claim Form</b> | You must submit a claim to receive a <u>cash</u> payment and to enroll in Privacy & Medical Shield + Genetic Monitoring. You will be bound by the Settlement. |
| <b>Do Nothing</b>          | Get no payment. Give up rights resolved by the Settlement.  |
| <b>Opt-Out</b>             | <u>Get</u> no payment. Allows you to retain your right to pursue a Claim against 23andMe about the same issues.   |
| <b>Object</b>              | Tell the Court why you don't like the Settlement. <u>You must submit a Claim to receive a cash payment and -other benefits.</u>                               |

Read on to understand the specifics of the Settlement and what each choice would mean for you.

## 3. What are the deadlines I should be aware of?

- Your deadline to Object or Opt-Out: **[date]**
- Your deadline to submit a Claim Form: **[date]**
- Final Approval Hearing: **[date]**

# Learning About the Lawsuit

## 4. What is this lawsuit about?

In October 2023, 23andMe announced that it had been the subject of a cyberattack, which resulted in the theft of personal information of approximately 6.4 million United States residents.

Numerous [federal](#) lawsuits were brought on behalf of 23andMe users whose Personal Information was compromised as a result of the Security Incident which have been consolidated.

### Personal Information includes:

names, dates of birth, sex, genetic information, predicted relationships with genetic matches, ancestry reports, ancestors' birth locations and family names, family tree information, profile information and geographic location.

## 5. What is the lawsuit called?

These consolidated [federal](#) lawsuits are known as *In re: 23andMe, Inc. Customer Data Security Breach Litigation*, Case No. 24-md-03098-EMC. The individuals who sued 23andMe are called the "Plaintiffs." 23andMe is the "Defendant." Judge Edward M. Chen is overseeing this lawsuit.

## 6. What are the claims in the lawsuit?

The Plaintiffs claim that the Defendant failed to adequately protect their Personal Information and that they suffered harm as a result. Defendant denies any wrongdoing, and no court or other entity has made any judgment or determination as to who is right or wrong, or that any law has been violated.

Even if you have not filed your own lawsuit against 23andMe regarding the Security Incident, you can obtain one or more of the benefits provided by this Settlement because you are a member of the Settlement Class.

### Want to know more?

Review the most recent [Complaint](#), which describes the Plaintiffs' legal claims against the Defendant, and the relief sought in the case.

## 7. What is a class action?

In a class action, one or more people file a lawsuit to assert legal claims on behalf of themselves and other persons who have experienced the same or similar circumstances. These individuals are known as "class representatives." Together, the people included in the class action are called a "class" or "class members." Because this is a class action

### Settlement Class Representatives:

There are 31 Settlement Class Representatives. Their names can be found on Exhibit 2 to the [Settlement Agreement](#).

settlement, even persons who did not file their own lawsuit can obtain relief for harm that may have been caused by the Security Incident.

## 8. Why is there a Settlement in this lawsuit?

The Court did not decide in favor of the Plaintiffs or Defendant. Instead, both sides agreed to a settlement. That way, they avoid the multi-year delay, risk, cost of further litigation and trial, and allow the Settlement Class Members to receive payments and benefits from the Settlement now. The Settlement Class Representatives and Class Counsel think the Settlement is in the best interests of the Settlement Class.

### What is a class action settlement?

A class action settlement is an agreement between the parties to resolve and end the case. Settlements can provide benefits to class members and changes to the practices that caused the alleged harm.

## Important Facts About the Settlement

## 9. How do I know if I am part of this Settlement?

You are a Settlement Class Member if you are among the approximately 6.4 million individuals residing in the United States on August 11, 2023, whose information was compromised in the Security Incident. Individuals were notified of the Security Incident by 23andMe in October 2023, so if you received that notice, you are likely a member of the Settlement Class.

Additionally, you are a Statutory Subclass Member if you were a resident of California, Illinois, Oregon or Alaska on August 11, 2023, and received notice that your Personal Information was compromised in the Security Incident.

Further, you can make a “Health Information Claim” if, as described below, you were notified that your health information was involved in the Security Incident.

## 10. Are there exceptions to being included?

Yes, the Settlement Class **does not** include:

- 1) 23andMe and its officers and directors;
- 2) all Settlement Class Members who timely and validly request to Opt-Out from the Settlement Class;
- 3) the Judge assigned to evaluate the fairness of this Settlement; and
- 4) potential class members who have provided 23andMe with an express release of claims arising out of or related to the Security Incident prior to the Effective Date of this Settlement.



## 11. I'm still not sure if I am included.

If you are still not sure whether you are included, you can ask for free help. You can call 1-888-726-1664, send an email to [admin@23andMeDataSettlement.com](mailto:admin@23andMeDataSettlement.com) or explore this [website](#) for more information.

## 12. What claims am I releasing if I stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you will remain in the Settlement Class, which means that you can't sue, continue to sue, or be part of any other lawsuit or proceeding against 23andMe, or any of the Released Parties, about the legal claims in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you do not exclude yourself, you agree to the "Mutual Releases" set forth in Section IX of the [Settlement Agreement](#), which describes the legal claims that you give up if you do not exclude yourself.

# The Settlement Benefits

## 13. What does the Settlement provide?

If the Settlement is approved by the Court, the Defendant will establish a Settlement Fund of \$30 million.

The Settlement Fund will be used to:

- (1) Provide three years of **Privacy & Medical Shield + Genetic Monitoring** for all Settlement Class Members who enroll in this benefit program (retail value estimated at \$1,125 for 3 years per Settlement Class Member); See Nos. 15-16
- (2) Make cash payments for valid **Extraordinary Claims** up to \$10,000 per Settlement Class Member (up to a collective maximum of \$5 million of the Net Settlement Fund); See Nos. 17-18
- (3) Make \$100 cash payments for valid **Health Information Claims** for Settlement Class Members who received notice that their health information as described below was involved in the Security Incident (up to approximately \$750,000 of the Net Settlement Fund); See Nos. 19-20
- (4) Make cash payments estimated at \$100 for valid **Statutory Cash Claims** for Settlement Class Members who were residents of Alaska, California, Illinois, or

### Want to know more?

For more detailed information on the benefits of the Settlement, please see the [Settlement Agreement](#) and [Settlement Benefits Plan](#).

Oregon on August 11, 2023 (paid on a pro rata basis from the Net Settlement Fund less all Extraordinary and Health Information Claims paid); See Nos. 21-22

- (5) Pay Service Awards to Settlement Class Representatives (up to \$500 each for a total of \$15,500), as approved by the Court;
- (6) Pay attorneys' fees (up to \$7,500,000) and reimburse expenses (up to \$350,000), as approved by the Court; and
- (7) Pay the costs of notifying Settlement Class Members of the Settlement, and for the administration of the Settlement (estimated at \$1,038,000 but could increase or decrease subject to the number of claims filed).

In addition, 23andMe has made substantial Business Practice Commitments to safeguard current users' and Settlement Class Members' Personal Information. The cost of these commitments is in addition to the Settlement Fund and will be paid separately by 23andMe.

## 14. How does the Settlement help protect me against harm from disclosure of my Personal Information?

All Settlement Class Members are eligible to enroll in three years of Privacy & Medical Shield + Genetic Monitoring. This unique and comprehensive monitoring program provides substantial web and dark web monitoring, and a number of features to aid Settlement Class Members in reducing their digital footprint, among other options to enhance their privacy.

### Benefits Include:

- |  |  |
|--|--|
| • Genetic Monitoring   | • Virtual Private Network                            |
| • Digital Vault  | • Data Broker Opt-Out                                |
| • Password Manager   | • Private Browsing                                   |
| • Breach Scan Tool   | • Anti Phishing                                      |
| • Dark Web Monitoring  | • Stolen Data Sites Monitoring                       |
| • Real-time Authentication Alerts                              | • High-Risk Transaction Monitoring                   |
| • Health Insurance Plan ID Monitoring                          | • Medical Beneficiary Identifier Monitoring          |
| • Medical Record Monitoring                                    | • Customer Support                                   |
| • National Provider Identifier Monitoring                      | • Security Freeze with All Credit Bureaus            |
| • Victim Assistance  | • International Classification of Disease Monitoring |
| • \$1 Million Identity Theft & Fraud Insurance - No Deductible |  |

## 15. Where can I learn more about Privacy & Medical Shield + Genetic Monitoring?

Privacy & Medical Shield + Genetic Monitoring provides the services below. Click [here](#) for a full description of each of these-.

## 16. How can I enroll in Privacy & Medical Shield + Genetic Monitoring?

In order to take advantage of the full three years of monitoring, you should enroll by submitting a [Claim Form](#) by **[insert claims deadline]**. Those who submit a Claim Form requesting monitoring will be sent an enrollment code after the Settlement's Effective Date, which they can use to enroll and activate the service. [Settlement Class Members who file a Claim for this monitoring program will receive the full three years of this Settlement benefit.](#)

### **Submit a Claim Form**

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to:

*In re: 23andMe, Inc. Customer Data Security Breach Litigation*  
PO Box 301172  
Los Angeles, CA 90030-1172

You can take advantage of the monitoring services at any time during the three years the monitoring is effective by visiting the Settlement Website after the Claims Deadline for additional instructions on how to obtain an enrollment code. If you enroll after the three-year period of monitoring begins you will only get monitoring for the remainder of the three-year period.

## 17. How will the Settlement compensate me for unreimbursed costs related to the Security Incident?

The Settlement provides for reimbursement of Extraordinary Claims related to the Security Incident. **Extraordinary Claims** are limited to:

1. Unreimbursed costs, expenses or charges incurred as a direct result of identity fraud or falsified tax returns as a result of the Security Incident;
2. Unreimbursed costs or expenses associated with the purchase of a physical security or monitoring system that was purchased in response to the Security Incident; and
3. Unreimbursed costs or expenses associated with seeking professional mental health counseling or treatment that was incurred as a result of the Security Incident.

### **An "Extraordinary Claim"**

is limited to verifiable unreimbursed costs or expenditures up to \$10,000 actually incurred on or after August 11, 2023, through the date of Claim Form submission, and are related to the Security Incident.

Extraordinary Claims will be paid from the Net Settlement Fund up to a total cap of \$5,000,000 (the "Extraordinary Claims Fund"). If valid Extraordinary Claims exceed the

Extraordinary Claims Fund, the Extraordinary Claims payments will be reduced on a pro-rata basis. If the valid Extraordinary Claims are less than the Extraordinary Claims Fund, the balance of the Extraordinary Claims Fund will be added to the Statutory Cash Claim Fund.

## 18. How do I get reimbursed for an Extraordinary Claim?

To request reimbursement for an Extraordinary Claim, you must submit a Claim Form and provide documentation showing what you spent and why it was related to the Security Incident. You can submit a Claim Form with the required attestation as to accuracy of your Claim online or by U.S. mail. Online Claim Forms must be submitted by **11:59 p.m. PST on XXXX, XX, 202X**. Mailed Claim Forms must be postmarked by **XXXX, XX, 202X**. To fill out and submit a Claim Form online, click [here](#).

### **Submit a Claim Form**

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to:

*In re: 23andMe, Inc. Customer Data Security Breach Litigation*  
PO Box 301172  
Los Angeles, CA 90030-1172

## 19. How do I know if I am eligible for a Health Information Claim payment?

A “Health Information Claim” may be submitted by any Settlement Class Member who received notice from 23andMe that their health information, including (i) uninterpreted raw genotype data, (ii) certain health reports derived from the processing of their genetic information, including health-predisposition reports, wellness reports and carrier status reports, or (iii) self-reported health condition information, was involved in the Security Incident.

If you are unsure if you qualify for a Health Information Claim payment, please contact the Settlement Administrator at 1-888-726-1664 or email [admin@23andMeDataSettlement.com](mailto:admin@23andMeDataSettlement.com).

## 20. How will the Settlement compensate me for a Health Information Claim?

If you received notice from 23andMe that your Health Information was compromised in the Security Incident, you may make a Claim for a payment of \$100.00.

Health Information Claims will be paid from the Net Settlement Fund up to a total cap of \$750,000. If valid Health Information Claims are less than the Health Information Claims Fund, the balance of the Health Information Claims Fund will be added to the Statutory Cash Claim Fund.

Health Information Claims must be submitted by Claim Form either online by **11:59 p.m. PST on XXXXX** or by U.S. mail postmarked by **XXXXX, XX, 2025**.

**Submit a Claim Form**

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to the address on the form.

*In re: 23andMe, Inc. Customer Data Security Breach Litigation*  
PO Box 301172  
Los Angeles, CA 90030-1172

**21. How do I know if I am eligible for a Statutory Cash Claim payment?**

You are eligible to make a Statutory Cash Claim if you were a resident of Alaska, California, Illinois or Oregon on August 11, 2023, and received notice from 23andMe that your Personal Information was compromised in the Security Incident.

**22. How do I get compensated for a Statutory Cash Claim?**

Statutory Cash Claim payments are estimated to be \$100.00 but may be more or less depending on the number of valid claims filed.

You must submit a [Claim Form](#), confirming and attesting to your residential address on August 11, 2023, in order to receive a Statutory Cash Claim payment from the Settlement. You can submit a Claim Form online by **11:59 p.m. PST on XXXX, XX, 202X** or by U.S. mail postmarked by **XXXX, XX, 202X**.

**Submit a Claim Form**

Claim Forms can be submitted [online](#) or printed from the [Settlement Website](#) and mailed to the address on the form.

*In re: 23andMe, Inc. Customer Data Security Breach Litigation*  
PO Box 301172  
Los Angeles, CA 90030-1172

**23. How has 23andMe changed its business practices as a result of the Security Incident?**

As another benefit of the Settlement, 23andMe made substantial Business Practice Commitments regarding actions it has taken, will take and maintain, to strengthen the security of Settlement Class Members' Personal Information.

For example, 23andMe has instituted enhanced password protection, mandated use of multi-factor authentication by all customers and made changes to its Retention of Personal Information policy. These commitments are detailed in the [Settlement Agreement](#).

## 24. Want to delete your 23andMe information??

You have the right to delete your information from 23andMe, subject to 23andMe's Account Closure terms, Privacy Statement and legal record retention requirements.

To delete your data from 23andMe visit [www.XXXX.com](http://www.XXXX.com).

## 25. When will I get my monitoring or payment?

The Court will hold a hearing on XXXX, XX, 202X, to consider:

- (1) whether to approve the Settlement;
- (2) any objections;
- (3) the requests for awards to the Settlement Class Representatives (up to \$500 each for a total of \$15,500); and
- (4) the request for an award of attorneys' fees (up to 25% of the Settlement Fund which is \$7,500,000) and expenses (up to \$350,000) to Class Counsel for their work in this Litigation.

### **Please be patient.**

Settlement payments will be distributed as soon as possible once the Court grants Final Approval of the Settlement and after any appeals are resolved in favor of the Settlement.

If the Court approves the Settlement, there may be appeals. It is always uncertain whether appeals will be filed and, if so, how long it will take to resolve them. Settlement Class Members will be informed of the progress of the Settlement [here](#).

# Excluding Yourself from the Settlement

## 26. Why would I Opt-Out of the Settlement?

If you do not want to receive any benefits from the Settlement, and you want to keep your right, if any, to separately sue 23andMe or any of the Released Parties identified in the Settlement Agreement about the legal issues or factual allegations in this case, you must take steps to exclude yourself from the Settlement Class. This is called "opting out" of the Settlement Class.

## 27. How do I Opt-Out of the Settlement?

To exclude yourself from the Settlement, you must submit a completed and signed Opt-Out request by U.S. mail to the address below or [online](#).

Any written Opt-Out request must include:

- (1) the case name and number of the Litigation: *In re 23andMe Customer Data Security Breach Litigation*, Case No. 3:24-md-3098-EMC;
- (2) your name, ~~and~~ current mailing address and email addresses;
- (3) your individually signed Opt-Out request using a wet-ink signature, DocuSign, or other similar process for transmitting authenticated digital signatures;
- (4) a statement clearly indicating your intent to be excluded from the Settlement; and
- (5) a statement that you were a 23andMe user as of August 11, 2023.

Your online Opt-Out must be submitted no later than **11:59 p.m. PST on XXXXX, 202X** AND verified using a link sent to the email you provide with your Opt-Out request within three (3) business days following XXXXX, 202X.

Mailed Opt-Out requests must be postmarked **no later than XXXXX, 202X**, to:

23andMe Settlement Administrator  
Attn: Exclusions  
PO Box 301172  
Los Angeles, CA 90030-1172

## 28. What happens if I Opt-Out of the Settlement?

If you ask to be excluded (“Opt-Out”), you are stating to the Court that you do not want to be part of the Settlement. You will not be eligible to receive any Settlement benefits, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit. You may be able to pursue (or continue to pursue) a claim against 23andMe or any of the Released Parties in the future. You may only exclude yourself—not any other person, unless that person is under your legal guardianship (such as a minor child).

Opt-Out requests seeking exclusion on behalf of more than one individual will be found invalid by the Settlement Administrator.

## 29. If I don’t Opt-Out, can I pursue a claim against 23andMe for the same thing later?

No. Unless you Opt-Out, you give up any right to pursue a claim against 23andMe or the Released Parties for the claims that this Settlement resolves. If you have a pending claim, speak to your lawyer in that action immediately. You must Opt-Out from this Settlement to continue your own claim. Remember, **the exclusion deadline is XXXXX, 202X**.

## 30. If I Opt-Out, can I get any benefits from this Settlement?



No. If you Opt-Out, you will not receive any of the Settlement benefits outlined in the Settlement Benefits Plan.

## Objecting to the Settlement

### 31. What does it mean to object to the Settlement?

If you are a Settlement Class Member, you can choose (but are not required) to object to the Settlement if you do not like it or a portion of it. You can give reasons why you think the Court should not approve it. You can ask the Court to deny approval by filing an objection. You can't ask the Court to order a different settlement; the Court can only approve or reject the Settlement. The Court will consider your views. If you object, you must still submit a Claim Form if you want to receive any Settlement benefits.

If the Court denies approval, no Settlement payments or benefits will be provided to anyone, and the lawsuit will continue. If that is what you want to happen, you should object.

### 32. How do I tell the Court that I don't like the Settlement?

To object to the Settlement, you must submit a letter or other document to the Court that includes:

- (1) the case name and number of the Litigation: *In re 23andMe Customer Data Security Breach Litigation*, Case No. 3:24-md-3098-EMC;
- (2) your full name, address, telephone number, and email address (if any);
- (3) information which verifies you are a Settlement Class Member (e.g., a copy of the Class Notice or of the original notice of the Security Incident emailed or otherwise addressed to you);
- (4) a statement of all of the grounds for your objection, accompanied by any legal support for your objection;
- (5) a statement of whether the objection applies only to you, to a specific subset of the class, or to the entire class;
- (6) a statement of whether you intend to personally appear or speak at the Final Approval Hearing;
- (7) the identity of all counsel representing you and whether they will appear at the Final Approval Hearing;
- (8) a statement of whether you have sold or otherwise transferred your right of recovery to this Settlement to another person or entity, and, if so, the identity of the person or entity; and
- (9) your personal signature or your duly authorized representative's signature.



Your objection must be submitted to the Court by: (a) mailing it to the ~~Class Action~~ Clerk at the address below; (b) filing it electronically, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>; or (3) delivering it in person at any location of the United States District Court for the Northern District of California. **Your objection must be filed, received by the ~~Class Action~~ Clerk or postmarked on or before 11:59 p.m. PST on XXXXX, 202X.**

**~~Class Action~~ Clerk's Office**  
**United States District Court for the Northern District of California**  
**450 Golden Gate Avenue, Box 36060**  
**San Francisco, CA 94102-3489**

### 33. May I or my attorney speak at the Final Approval Hearing about my objection?

Yes, you or your attorney may speak at the Final Approval Hearing about your objection. To do so, you must include a statement in your objection indicating that you or your attorney intend to appear at the Final Approval Hearing. If you appear through your own attorney, you are responsible for hiring and paying that attorney.

### 34. What's the difference between objecting and submitting an Opt-Out?

Objecting is telling the Court that you don't like something about the Settlement, and you don't believe it should be approved. You can object to the Settlement only if you do not Opt-Out of the Settlement Class. If you object, you must still submit a Claim Form in order to receive Settlement benefits for which you qualify. If the Settlement is approved, you will receive the benefits to which you are entitled if you submitted a timely and otherwise valid Claim Form. If you Opt-Out of the Settlement, you cannot object to it because the Settlement no longer affects you. If you Opt-Out of the Settlement, you are not eligible to receive Settlement benefits.

## The Lawyers Representing You

### 35. Do I have a lawyer in this case?

The Court has appointed lawyers, called "Class Counsel" to represent the Settlement Class in this case. Class Counsel are Gayle M. Blatt of Casey Gerry Schenk Francavilla Blatt & Penfield, LLP, Norman E. Siegel of Stueve Siegel Hanson LLP, and Cari Campen Laufenberg of Keller Rohrbach L.L.P:

Gayle M. Blatt  
CASEY GERRY SCHENK

Cari Campen Laufenberg  
KELLER ROHRBACK L.L.P.

Norman E. Siegel  
STUEVE SIEGEL HANSON LLP

FRANCAVILLA BLATT &  
PENFIELD, LLP  
110 Laurel Street  
San Diego, CA 92101  
[\[insert email address\]](#)  
[\[insert phone #\]](#)

1201 Third Avenue  
Suite 3400  
Seattle, WA 98101  
[\[insert email address\]](#)  
[\[insert phone #\]](#)

460 Nichols Road, Suite 200  
Kansas City, MO 64112  
[\[insert email address\]](#)  
[\[insert phone #\]](#)

You will not be charged for their services.

### 36. Should I get my own lawyer?

You do not need to hire your own lawyer to participate in the Settlement. If you object to the Settlement or otherwise want to be represented by your own lawyer, you may hire one at your own expense.

### 37. How will the lawyers be paid?

Class Counsel will ask the Court to approve payment of up to 25% (or \$7,500,000) of the Settlement Fund for attorney's fees and reimbursement of up to \$350,000.~~00~~ in litigation expenses incurred in this case. The Court will decide how much Class Counsel will be paid and the amount of their reimbursement.

You have the right to object to the lawyers' fees even if you think the Settlement terms are fair. The lawyers' motion for attorneys' fees and costs will be filed with the Court and posted on the Settlement Website on or before [notice date].

Lawyers' fees and expenses will only be awarded if approved by the Court as a fair and reasonable amount.

## If You Do Nothing

### 38. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will give up the right to pursue a claim, continue a claim, or be part of any other action against 23andMe and the Released Parties about legal issues or factual allegations resolved by this Settlement. In addition, you will not receive any benefit to which you might be entitled under the Settlement.

### 39. Can I enroll in Privacy & Medical Shield + Genetic Monitoring later?

Yes, eEven if you do not make a claim, you may still enroll in Privacy & Medical Shield + Genetic Monitoring during the three-year term of the service by visiting [www.23andMeDataSettlement.com](http://www.23andMeDataSettlement.com) for further enrollment instructions.

If you wait to enroll until sometime during the three-year term of service, you will only get monitoring for the remainder of the service term. Therefore, you are encouraged to submit a Claim Form by the Claims Deadline and to promptly activate the service upon receipt of the enrollment code, so that you can take full advantage of the benefit.

If you do not take action to enroll in the monitoring program within the three-year monitoring term of service, you will give up your right to participate in that benefit.

## Deciding What to Do.

### 40. How do I weigh my options?

As described in this Notice, you have four options. You can stay in the Settlement and submit a Claim Form to receive benefits as outlined above, you can Opt-Out of the Settlement, you can object to the Settlement, or you can do nothing. This chart shows the effects of each option:

|   | Submit a Valid Claim | Opt-Out | Object | Do Nothing |
|---|----------------------|---------|--------|------------|
| Can I receive Settlement benefits if I . . .          | YES                  | NO      | YES    | NO         |
| Am I bound by the terms of this Settlement if I . . . | YES                  | NO      | YES    | YES        |
| Can I pursue my own claim if I . . .                  | NO                   | YES     | NO     | NO         |
| Will Class Counsel represent me if I . . .            | YES                  | NO      | NO     | YES        |

## The Court's Final Approval Hearing

### 41. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing to decide whether to approve the Settlement. The hearing will be held at:

**Where:** United States District Court for the Northern District of California, 450 Golden Gate Ave., Courtroom 5, 17th Floor, San Francisco, CA 94102

**When:** [time] on [date]

The date and time of the Final Approval Hearing may change without further notice to the class. You should check the [Settlement Website](#) frequently to confirm that the date has not changed.

**Case:** *In Re: 23andMe, Inc., Customer Data Security*

Because the Settlement of a class action decides the rights of all members of the proposed classes, the Court must give final approval to the Settlement before it can take effect.

*Breach Litigation*, No. 24-md-03098-EMC

**Judge:** The Honorable Edward M. Chen

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. The Court may also decide how much Class Counsel and the Settlement Class Representatives are entitled to under the Settlement. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

#### 42. Can the date, time or location of the Final Approval Hearing change?

Yes, the Court may reschedule the Final Approval Hearing or change any of the deadlines described in this Notice. The date of the Final Approval Hearing may change without further notice to Settlement Class Members.

Check the [Settlement Website](#) for any updates.

You can also check whether the hearing date or any deadlines have changed by accessing the case docket via the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>.

#### 43. Do I have to come to the hearing?

No. Class Counsel will answer questions the Court may have about the Settlement. You may attend at your own expense if you wish. If you file an objection, you do not have to come to the Final Approval Hearing to talk about it. If you file your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but such attendance is not necessary for the Court to consider your objection if it was filed on time.

## Key Resources

#### 44. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. Complete details are provided in the Settlement Agreement and the Settlement Benefits Plan. The Settlement Agreement and other related documents can be found [here](#).

If you have additional questions, you may:

- contact the Settlement Administrator by email, phone or mail, or:
- contact Class Counsel (information below)
- access the Court Electronic Records (PACER) system online at <https://ecf.cand.uscourts.gov> or by visiting the Clerk's office of the Court (address below)

| Resource                        | Contact Information  |
|---------------------------------|--|
| <b>Settlement Website</b>       | <a href="http://www.23andMeDataSettlement.com">www.23andMeDataSettlement.com</a>   |
| <b>Email</b>                    | <a href="mailto:admin@23andMeDataSettlement.com">admin@23andMeDataSettlement.com</a>   |
| <b>Phone</b>                    | 1-888-726-1664   |
| <b>Settlement Administrator</b> | 23andMe Settlement Administrator<br>PO Box 301172<br>Los Angeles, CA 90030-1172  |
| <b>Your Lawyers</b>             | <p>Gayle M. Blatt<br/>CASEY GERRY SCHENK FRANCAVILLA BLATT &amp; PENFIELD, LLP<br/>110 Laurel Street<br/>San Diego, CA 92101<br/>[insert email address]<br/>[insert phone #]</p> <p>Cari Campen Laufenberg<br/>KELLER ROHRBACK L.L.P.<br/>1201 Third Avenue, Suite 3400<br/>Seattle, Washington 98101<br/>[insert email address]<br/>[insert phone #]</p> <p>Norman E. Siegel<br/>STUEVE SIEGEL HANSON LLP<br/>460 Nichols Road, Suite 200<br/>Kansas City, MO 64112<br/>[insert email address]<br/>[insert phone #]</p>           |
| <b>Court</b>                    | <p>Office of the Clerk<br/>United States District Court<br/>450 Golden Gate Ave.<br/>San Francisco, CA, 94102</p> <p>HOURS: 9:00 a.m. and 4:00 p.m., Monday through Friday, except court-observed holidays.</p> <p>More information about the Court Clerk's office hours and other locations can be found at <a href="http://www.cand.uscourts.gov/about/locations/">www.cand.uscourts.gov/about/locations/</a>.</p> <p><b>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT.</b></p> |